

FRANK J. UXA, JR.\*  
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OF COUNSEL:  
CARLOS A. FISHER\*

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FACSIMILE: (949) 450-1764

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FACSIMILE COVER PAGE

DATE: November 5, 2009  
TO: Mail Stop Refunds, Commissioner for Patents  
FAX NO. (571) 273-6500  
FROM: Kenton R. Mullins  
RE: U.S. Patent Application No. 10/667,921  
First Named Inventor: Ioana M. Rizoiu  
Attorney Docket No. BI9100CIPCON  
SECOND REQUEST FOR REFUND

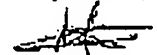
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To Whom It May Concern:

Submitted herewith is a Second Request for Refund for the above-identified application, as we have not received the refund to date. Enclosed please find the following:

- (1) Copy of the Request for Refund faxed on September 14, 2009;
- (2) The fax confirmation for the Request for Refund dated September 14, 2009; and
- (3) Deposit Account Authorization: The Commissioner is hereby authorized to charge any needed fees or credit any overpayment to Deposit Account 50-1600.

Respectfully submitted,



Kenton R. Mullins  
Attorney for Applicant  
Registration No. 36,331

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence for the above-identified application is being facsimile transmitted on November 5, 2009.

Name of person sending facsimile: Kenton R. Mullins, Attorney for Applicant

Signature: 

FRANK J. UXA, JR.\*  
ROBERT D. BUYAN\*  
DONALD S. STOUT\*  
KENTON R. MULLINS\*

OF COUNSEL:  
CARLOS A. FISHER\*

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RE: U.S. Patent Application No. 10/667,921  
First Named Inventor: Ioana M. Rizoiu  
Attorney Docket No. BI9100CIPCON

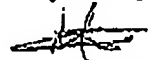
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To Whom It May Concern:

Please find submitted herewith:

- (1) Request for Refund;
- (2) Copy of Filing Receipt identifying \*\* SMALL ENTITY \*\* status; and
- (3) Copy of relevant page(s) of Deposit Account Statement identifying error.

Respectfully submitted,



Kenton R. Mullins  
Attorney for Applicants  
Registration No. 36,331

**CERTIFICATE OF FACSIMILE TRANSMISSION**

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transmitted on September 14, 2009.

Name of person sending facsimile: Kenton R. Mullins, Attorney for Applicant(s)

Signature: 

Docket: B19100CIPCON

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Inventor: Ioana M. Rizoiu

Serial No.: 10/667,921

Filed: September 22, 2003

For: Tissue Remover and Method

Examiner: SHAY, DAVID M

Group Art Unit: 3769

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Dear Madam/Sir:

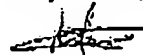
On June 18, 2009, an Amendment was filed in response to an Office Action mailed February 20, 2009 for the above-identified application. Authorization was given to deduct the necessary one-month extension fee.

In error, the USPTO deducted \$130.00 on August 24, 2009 for the Large Entity fee for a one-month extension.

Applicants claim Small Entity status, as acknowledged in the accompanying copy of the Filing Receipt. Accordingly, Applicants request that \$65.00 be refunded to Deposit Account 50-1600.

The Commissioner is hereby authorized to charge any needed fees or credit any overpayment to Deposit Account 50-1600.

Respectfully submitted,



Kenton R. Mullins  
Attorney for Applicants  
Registration No. 36,331

Dated: September 14, 2009

Stout, Uxa, Buyan & Mullins, LLP  
4 Venture, Suite 300  
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Fax: 949-450-1764



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/667,921	09/22/2003	3739	582	BI9100CIPCON	9	43	3

CONFIRMATION NO. 9901

33197  
STOUT, UXA, BUYAN & MULLINS LLP  
4 VENTURE, SUITE 300  
IRVINE, CA 92618

## FILING RECEIPT

0000000011579550

Date Mailed: 12/29/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Ioana M. Rizoiu, San Clemente, CA;  
Andrew I. Kimmel, San Clemente, CA;

## Assignment For Published Patent Application

BioLase Technology, Inc., San Clemente, CA;

## Domestic Priority data as claimed by applicant

This application is a CON of 09/714,479 11/15/2000 PAT 6,669,685  
which is a CIP of 09/188,072 11/08/1998 PAT 6,254,597  
which claims benefit of 60/064,465 11/06/1997

## Foreign Applications

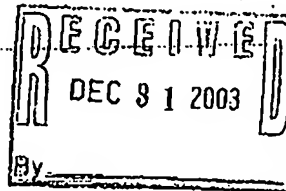
If Required, Foreign Filing License Granted: 12/23/2003

Projected Publication Date: 04/08/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*



**Title**

Tissue remover and method

**Preliminary Class**

606

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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Deposit Account Statement

Requested Statement Month: August 2009  
Deposit Account Number: 501800  
Name: STOUT UXA BUYAN & MULLINS, LLP  
Attention: KENTON R MULLINS  
Street Address 1: 4 VENTURE  
Street Address 2: SUITE 300  
City: IRVINE  
State: CA  
Zip: 92618  
Country: UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/03 46	10843476	39015/GM/CB	2252	\$245.00	\$10,762.00
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should be small  
entity fee \$65.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
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## MEMORY TRANSMISSION REPORT

TIME : 09-14-'09 14:59  
 FAX NO.1 : 9494501764  
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 DATE : 09.14 14:53  
 TO : 815712736500  
 DOCUMENT PAGES : 6  
 START TIME : 09.14 14:53  
 END TIME : 09.14 14:59  
 PAGES SENT : 6  
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\*\*\* SUCCESSFUL TX NOTICE \*\*\*

FRANK J. UXA, PLS.  
 ROBERT D. BUYAN  
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 OF COUNSEL:  
 DANIEL A. FISHER

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DATE: September 14, 2009  
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 FROM: Kenton R. Mullins  
 RE: U.S. Patent Application No. 10/687,921  
First Named Inventor: Ioana M. Rizoiu  
Attorney Docket No. 8181003IPCON

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Signature: *Kenton R. Mullins*



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01 FC:2251 65.00 DA